
STATUTORY INSTRUMENTS

2011 No. 988

**ENVIRONMENTAL PROTECTION,
ENGLAND AND WALES**

The Waste (England and Wales) Regulations 2011

Made - - - - 28th March 2011

Coming into force in accordance with regulation 1

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, have in accordance with section 2(4) of the Pollution Prevention and Control Act 1999 ^{M1} consulted—

- (a) the Environment Agency;
- (b) such bodies or persons appearing to them to be representative of the interests of local government, industry, agriculture and small business respectively as they consider appropriate; and
- (c) such other bodies or persons as they consider appropriate.

The Secretary of State is designated ^{M2} for the purposes of the European Communities Act 1972 ^{M3} in relation to the environment. The Welsh Ministers are designated ^{M4} for the purposes of that Act in relation to the prevention, reduction and management of waste.

A draft of this instrument has been approved by a resolution of each House of Parliament and by the National Assembly for Wales pursuant to section 2(8) and (9)(d) and (e) of the Pollution Prevention and Control Act 1999 ^{M5}, to paragraph 2(2) of Schedule 2 to the European Communities Act 1972 and to section 59(3) of the Government of Wales Act 2006 ^{M6}.

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, make these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 and by section 2 of, and Schedule 1 to, the Pollution Prevention and Control Act 1999.

Marginal Citations

- M1** 1999 c. 24. Functions of the Secretary of State under section 2 (except in relation to offshore oil and gas exploration and exploitation), so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by article 3 of [S.I. 2005/1958](#). Those functions were then transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the [Government of Wales Act 2006 \(c. 32\)](#).
- M2** [S.I. 2008/301](#).
- M3** 1972 c. 68.
- M4** [S.I. 2010/1552](#).

Changes to legislation: *The Waste (England and Wales) Regulations 2011, Introductory Text is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

- M5** The reference in section 2(8) of the 1999 Act to approval by each House of Parliament has effect in relation to the exercise of functions by the Welsh Ministers as if it were a reference to approval by the National Assembly for Wales by virtue of paragraph 33 of Schedule 11 to the [Government of Wales Act 2006 \(c. 32\)](#).
- M6** [2006 c. 32](#).

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 13(1A) inserted by [S.I. 2023/1290 reg. 11](#)
- reg. 14(A1) inserted by [S.I. 2023/1290 reg. 12](#)
- reg. 15A inserted by [S.I. 2023/1290 reg. 13](#)
- reg. 16(3)(ba) substituted for reg. 16(3)(b) by [2023 c. 55 Sch. 8 para. 32](#)